

REMARKS

Applicants respond hereby to the final Office Action mailed January 19, 2011.

The final Office Action rejects claims 1-4, 6, 9, 12-14, 19-21, 24 and 26-30 under 35 USC §102(b) as anticipated by US Patent No. 5,022,157 to Chang and rejects claims 4, 5, 7, 8, 10, 11, 15, 16 and 25 under §103(a) over Chang.

To support the rejections under §102(b), the Examiner asserts that Chang's scroll saw transmission mechanism includes an imbalance compensation element (counter weight) **2** and eccentric element (counter weight) **2**; a ball bearing **31** coupled to the eccentric element (counter weight) **2** via lock bolt **23**; and an armature shaft **11** (having a rotation axis), an oscillating link (swing arm) **5** and a drive shaft (rocker arm) **3**, wherein a center of mass of the eccentric element (counter weight) **2** and ball bearing **31** lies on the rotation axis.

The Examiner further asserts that the eccentric element (counter weight) **2** has an armature recess **21** for receiving the armature shaft **11** and rotates therewith to convert, due to its own rotation, the revolving rotary motion of the armature shaft into oscillating rotary motion of the drive shaft (rocker arm) **3** via the oscillating link (swing arm) **5** in order to drive an insert tool (**col. 2, lines 5-7, states that swing arm 5 is the upper arm of a scroll sawing machine and firmly coupled with rocker arm 3 to carry a scroll saw blade to operate**) a saw blade as described at 40a-40e) of a hand-held power tool (18a-18e) to oscillate), and that the imbalance compensation element (counter weight) **2** is a one-piece part of an

additional functional unit (**eccentrically driven to drive the rocker arm or drive shaft 3**).

While applicants respectfully disagree, they nevertheless amend each of independent claims 1, 13, 14 and 21, as shown above in the Listing of Claims, in order to more clearly distinguish the claimed features, and therefore the invention as a whole from Chang.

Amended independent claim 1, for example, now clearly recites an eccentric transmission with an armature shaft (14a-14e) having a rotation axis, an eccentric element (12a-12e) that includes an armature recess at one end for receiving and fixedly connecting the armature shaft (14a-14e), a cylindrical drive pin (38a) on its other end and a recess in a form of a flattened area operating as an imbalance compensation element (10a – 10e) and at least one ball bearing (34a) coupled to and mounted upon the cylindrical drive pin (38a) of the eccentric element (12a – 12e). An oscillating link (32a – 32e) having a fork-shaped first end and a second end, wherein the fork-shaped first end is in coupling contact with both sides of an outer circumference of the at least one ball bearing (34a) and a drive shaft (16a – 16e) that is non-rotatably connected to the second end of the oscillating link.

A center of mass of a total system comprising the eccentric element (12a – 12e) and the at least one ball bearing lies on the rotation axis, the eccentric element (12a-12e) rotates with the armature shaft (14a – 14e) and converts, due to its own rotation during an operation mode, a revolving rotary motion of the

armature shaft (14a – 14e) into an oscillating rotary motion of the drive shaft (16a – 16e) via the oscillating link (31a – 32e) in order to drive an insertion tool (40a – 40e) of a hand-held power tool (18a – 18e) to oscillate, and the imbalance compensation element (10a – 10e) is a one-piece part of an additional functional unit (12a – 12d, 14e).

Chang's eccentric element (counter weight) **2** does not include a cylindrical drive pin on an end opposite armature shaft **11** or a recess in a form of flattened area operating as an imbalance compensation element.

While the Examiner suggests that counter weight **2** is both the eccentric element and imbalance compensation element, horizontal counter weight **4** comprises Chang's imbalance compensation element, which horizontal counter weight **4** is coupled to the counter weight **2** via lock bolt **23**. Please note that horizontal counter weight **4** is separated spatially from the counter weight **2** by drive shaft (rocker arm) **3**. And while Chang's bearing **31** may be a ball bearing, bearing **31** cannot be said to be coupled to and mounted upon a cylindrical drive pin formed on Chang's eccentric element (counter weight) **2**.

Chang's oscillating link (swing arm) **5** cannot be said to have a fork-shaped first end in coupling contact with both sides of an outer circumference of the ball bearing **31** (on the counter weight **2**), as required by each of the amended independent claims. For that matter, Chang's oscillating link (swing arm) **5** does not connect the drive shaft (rocker arm) **3** to the eccentric element

(counter weight) **2**, but the drive shaft (rocker arm) **3** connects the eccentric element (counter weight) **2** to the oscillating link (swing arm) **5**.

Nor can Chang's imbalance compensation element (counter weight) **1** be a one-piece part of an additional functional unit comprising Chang's eccentric element (counter weight) **2** as well as a part of armature shaft **11**. This claim claimed limitation comprises element 14e of applicants' Fig. 7, and is further limited by dependent claims 10 and 11.

In view of the fact that independent claim 1 recites at least these limitations, which Chang does not, Chang does not anticipate the invention as claimed. Nor is Chang a proper reference under 35 USC §102 pursuant to the guidelines set forth in the last paragraph of MPEP §2131. Amended independent claims 1, 13, 14 and 21, and claims 2, 4, 6, 9, 12, 19, 20 and 26-30, that depend from claim 1 are therefore patentable over Chang under §102(b) and applicants respectfully request withdrawal of the rejections.

In response to the rejection of claims 4, 5, 7, 8, 10, 11, 15, 16 and 25 under §103(a) over Chang, applicants respectfully assert that claims 4, 5, 7, 8, 11 and 25, which depend from claim 1, are patentable at least for the reasons set forth above for the patentability of amended independent claim 1 in view of Chang. Claims 15 and 16, which depend from claim 14, are patentable at least for the reasons set forth above for the patentability of amended independent claim 14 in view of Chang. Applicants respectfully request withdrawal of the rejections over Chang, therefore.

It follows that the application as amended is in condition for allowance. Action to this end is courteously solicited. However, should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application in condition for allowance.

Respectfully submitted,
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